

11-27-90

U.S. DEPARTMENT OF ENERGY
OFFICE OF FOSSIL ENERGY

PRESIDENTIAL PERMIT PP-90
AUTHORIZING
IMPERIAL IRRIGATION DISTRICT
TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN
ELECTRIC TRANSMISSION FACILITIES ACROSS
THE INTERNATIONAL BORDER BETWEEN
THE UNITED STATES AND MEXICO

BACKGROUND

On February 6, 1989, the Imperial Irrigation District (IID) filed an application with the Office of Fuels Programs (OFP) for a Presidential permit to construct, connect, operate and maintain a 34.5-kilovolt (kV) transmission facility at the international border between the United States and Mexico. The IID is an Irrigation District duly formed, organized and operating under Section 20500, et. seq., Division 11, of the Water Code of the State of California, and engaged in the business of providing electric service in a portion of Riverside and Imperial Counties, and the wholesale of water in portions of Imperial County. IID seeks permission to extend a 34.5-kV electric transmission line approximately 100 feet from its existing border substation, near Calexico, California, across the U.S.-Mexican border, to connect with similar facilities owned and operated by the Comision Federal de Electricidad (CFE), the Mexican national electric utility. The applicant states that the proposed facilities are needed to provide an emergency back-up electric supply to the U.S. Port of Entry located near Calexico, California on the U.S. side of the U.S.-Mexican border and the Mexican Port of Entry located near Mexicali, Mexico, on the Mexican side of the international border, in order to cope with occasional outages of both the IID and CFE electric systems.

The Department of Energy (DOE) has assessed the potential environmental impacts associated with constructing this transmission line and has determined that the proposed action clearly would not constitute a major Federal action which could significantly affect the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq. The DOE, in a Memorandum To The File dated June 1, 1989, documents the rationale supporting this finding.

Presently, the IID and CFE systems cannot be operated in parallel because of the excessive phase angle difference (60 degrees) between the two systems. In order to preclude the inadvertent paralleling of the two systems, IID plans on installing a pole-mounted tie switch at the border which it plans on operating in the "normally open" mode. During an outage on either the IID or CFE systems, a similar switch would be opened in the Port of Entry substation affected by the outage, and the border tie switch authorized by this permit would be closed manually. This procedure would permit the supply of electric service to both border substations from whichever electric system was not experiencing an outage.

The coordinated operation of the tie switches located at each Port of Entry facility, as proposed by IID, will ensure that any "cross-border" loads served by either system will be connected only radially to the supplying system.

The subject facilities will operate in the import mode only during outages on the IID system. If such an outage were to occur, a portion of the load on the IID system would be electrically isolated from the rest of the IID system and would be supplied by CFE over the subject facilities. CFE would be the only source of electric supply under these circumstances. Aside from not adversely impacting on the reliability of the IID system, the subject facilities would provide the only means of maintaining electric service to a portion of the IID system under various outage scenarios.

Similarly, the subject facilities will operate in the export mode only during outages on the CFE system. The Imperial Irrigation District has not sought an export authorization under Section 202(e) of the Federal Power Act because as a state agency it is exempt from that section of the Federal Power Act, pursuant to Section 201 of the Act. If the status of the IID as a state agency should change in the future, it would be required to seek an export authorization pursuant to Section 202(e).

Based on this assessment, and after review and evaluation of the information submitted by the applicant, the Deputy Assistant Secretary for Fuels Programs, Fossil Energy, has concluded that the construction, connection, operation and maintainance of the proposed transmission line would not impair the reliability of the electric power supply system of the United States.

FINDING

Having found that there is no significant environmental impact and that there is no electric reliability problem associated with the construction and operation of the proposed facility, and since the Secretary of State by letter dated November 23, 1990, and the Secretary of Defense by letter dated September 4, 1990, have concurred with the Presidential permit being granted, the Deputy Assistant Secretary for Fuels Programs, Fossil Energy, finds that the issuance of the Presidential permit, as provided hereafter, is appropriate and consistent with the public interest.

AUTHORIZATION

Pursuant to the provisions of Executive Order No. 10485, as amended by Executive Order No. 12038, and the Rules and Regulations thereunder (Title 10, Code of Federal Regulations, section 205.320 et seq.), permission hereby is granted to Imperial Irrigation District to construct, connect, operate and maintain at the international border of the United States and Mexico, one 34.5-kV, alternating current (ac) transmission line as further described in Article 2 below, upon the following conditions:

Article 1. The facilities herein described shall be subject to all conditions, provisions and requirements of this permit. This permit may be modified or revoked by the President of the United States without notice, or by the DOE after public notice, and may be amended by the DOE after proper application thereto.

Article 2. The facilities covered by and subject to this permit shall include the following facilities and all supporting structures within the right-of-way occupied by such facilities:

One 34.5-kV transmission line from an existing border substation located in Calexico, California, to the international border between the United States and Mexico, and there connecting with the CFE 34.5-kV system.

These facilities are more specifically shown and described in the application filed by the applicant on February 6, 1989.

Article 3. The facilities described in Article 2 will be designed and operated in such a manner so as to preclude the networking of the IID and CFE electric systems through the Port of Entry substation. The subject facilities always will be operated in the radial mode.

Article 4. No change shall be made in the facilities covered by this permit or in the authorized operation of these facilities unless such change has been approved by the DOE.

Article 5. IID or its agent shall at all times maintain the facilities covered by this permit in a satisfactory condition so that all requirements of the National Electric Safety Code in effect at the time of construction are fully met.

Article 6. The operation and maintenance of the facilities covered by this permit shall be subject to the inspection and approval of a properly designated representative of the DOE, who shall be an authorized representative of the United States for such purposes. IID shall allow officers or employees of the United States with written authorization for free and unrestricted access into, through and across any lands occupied by these facilities in the performance of their duties.

Article 7. IID shall investigate any complaints from nearby residents of radio or television interference identifiably caused by the operation of the facilities covered by this permit. IID shall take appropriate action as necessary to mitigate such situations. Complaints from individuals residing within one-half mile of the center of the transmission circuit are the only ones which must be resolved. IID shall maintain written records of all complaints received and of the corrective actions taken.

Article 8. The United States shall not be responsible or liable: for damages to or loss of the property of, or injuries to, persons; for damages to, or loss of the facilities covered by this permit; or for damages to, or loss of the property of, or injuries to the person of IID officers, agents, servants or employees, or of others who may be on said premises; any of which may arise from or be incident to the exercise of the privileges granted herein; and IID shall hold the United States harmless from any and all such claims.

Article 9. IID shall arrange for the installation and maintenance of appropriate metering equipment to record permanently the hourly flow of all electric energy transmitted between the United States and Mexico over the facilities authorized herein. IID shall prepare, maintain and preserve complete and accurate records concerning the transfer of such electric energy; and shall furnish the DOE an annual report which will be due on or before February 15th of each year, detailing the transmission of such electric energy, as follows: (1) the gross amount of kilowatt-hours of electric energy received or delivered; (2) the maximum hourly rate of transmission in kilowatts; and (3) the consideration paid or received for such energy during each month of the preceding calendar year.

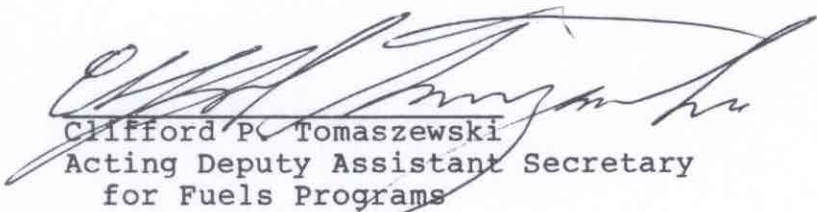
Article 10. Neither this permit nor the facilities covered by this permit, or any part thereof, shall be transferable or assignable, except in the event of the involuntary transfer of the facilities by the operation of law. In the case of such an involuntary transfer, this permit shall continue in effect for a period of 60 days and then shall terminate unless an application for a new permit pursuant to Title 10, Code of Federal Regulations, section 205.323, has been received by the DOE. Upon receipt by the DOE of such an application, this existing permit shall continue in effect pending a decision on the new application. During this decision period, the facilities authorized herein shall remain substantially the same as before the transfer.

Article 11. Upon the termination, revocation or surrender of this permit, the 34.5-kV ac transmission line, which is owned, connected, operated and maintained by IID and described in Article 2 of this permit, shall be removed within such time as DOE may specify and at the expense of IID. If IID fails to remove such facilities or any portion thereof authorized by this permit, DOE may direct that such actions be taken for the removal of the facilities or the restoration of the land associated with the facilities at the expense of IID. IID shall have no claim for damages by reason of such possession, removal or repair.

However, upon a showing by IID that certain facilities authorized herein, such as portions of its rights-of-way or the transmission line within the United States, are useful to other utility operations within the bounds of the United States, the DOE will not require that those facilities be removed and the land restored to its original condition upon termination of the international interconnection.

Article 12. This permit shall be valid upon receipt by the DOE of the Testimony of Acceptance properly executed.

In witness whereof, I, Clifford P. Tomaszewski, Acting Deputy Assistant Secretary for Fuels Programs, hereunto sign my name, this 29th day of November, 1990, in the city of Washington, District of Columbia.



Clifford P. Tomaszewski
Acting Deputy Assistant Secretary
for Fuels Programs
Fossil Energy

TESTIMONY OF ACCEPTANCE
OF
PRESIDENTIAL PERMIT PP-90
AUTHORIZING
IMPERIAL IRRIGATION DISTRICT
TO CONSTRUCT, CONNECT, OPERATE AND MAINTAIN
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IN TESTIMONY OF ACCEPTANCE of all the provisions and conditions of Presidential Permit PP-90 dated November 27, 1990, Imperial Irrigation District, this 20th day of December 1990 has caused its name to be signed and its corporate seal to be affixed hereto by Charles L. Shreves, its duly authorized representative, and attested by Gloria A. Rivera, its Assistant Secretary to the Board.



IMPERIAL IRRIGATION DISTRICT

By: Charles L. Shreves
General Manager